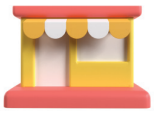
DON'T PLAY UNLICENSED MUSIC

Protect your business

Music rights organizations are serious about license right violations. Protect your business. TouchTunes offers a fully licensed commercial solution for music.

TouchTunes products are licensed with the performing rights organizations, as well as the record labels and publishers, and generally cover all music played by the jukebox.



Can my business use a personal music service to entertain my customers?

No. If you are playing music at your business via a streaming service from your phone, laptop, portable music player or television over speakers for customers/clients, this qualifies as "commercial use" and is generally not fully licensed via a personal streaming service.

What if the music was legitimately purchased as a CD or a legal download?

No. Even if the music was legally acquired, purchasing music from a music store, an online download retailer or service or streaming subscription service is for personal and private use only. Playing music publicly requires a proper commercial license.

Can our business be fined for playing unlicensed music?

Yes. Bars, restaurants and other social venues that play music without proper licenses are liable for fines, in some cases up to $30,000 for damages per infringement.

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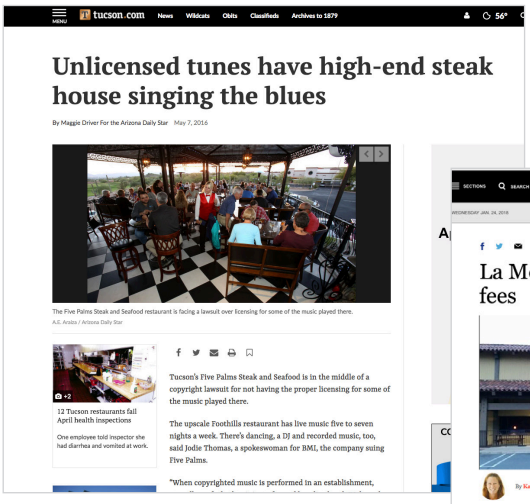
Music rights organizations are serious about license right violations.

Below are examples of hometown bars and restaurants that were sued by performing rights organizations on behalf of major song writers for allegedly playing music without proper licensing rights.



tucson.com

Unlicensed tunes have high-end steak house singing the blues

By Maggie Driver For the Arizona Daily Star May 7, 2016

The Five Palms Steak and Seafood restaurant is facing a lawsuit over licensing for some of the music played there.

A.E. Arvizu / Arizona Daily Star

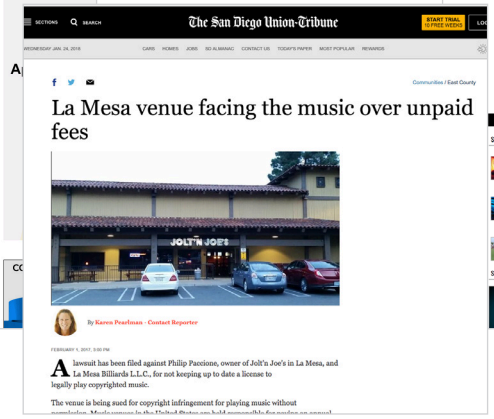
12 Tucson restaurants fail April health inspections

One employee told inspector she had diarrhea and vomited at work.

Tucson's Five Palms Steak and Seafood is in the middle of a copyright lawsuit for not having the proper licensing for some of the music played there.

The upscale Foothills restaurant has live music five to seven nights a week. There's dancing, a DJ and recorded music, too, said Jodie Thomas, a spokeswoman for BMI, the company suing Five Palms.

"When copyrighted music is performed in an establishment,



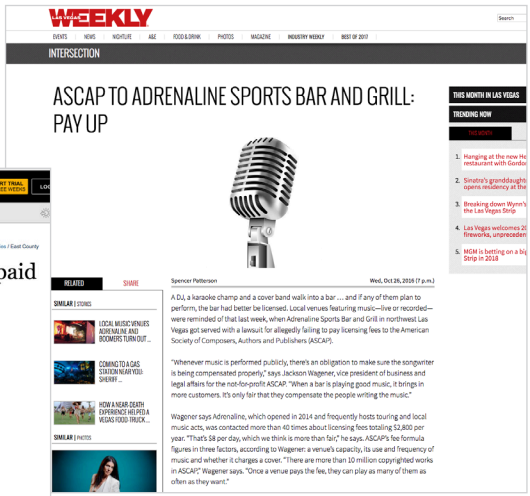
The San Diego Union-Tribune

La Mesa venue facing the music over unpaid fees

By Kareen Pearlman - Contact Reporter

A lawsuit has been filed against Philip Paccione, owner of Jolt'n Joe's in La Mesa, and La Mesa Billiards L.L.C., for not keeping up to date a license to legally play copyrighted music.

The venue is being sued for copyright infringement for playing music without



WEEKLY

INTERSECTION

ASCAP TO ADRENALINE SPORTS BAR AND GRILL: PAY UP

Spencer Patterson Wed, Oct 26, 2016 (7 p.m.)

A DJ, a karaoke champ and a cover band walk into a bar … and if any of them plan to perform, the bar had better be licensed. Local venues featuring music—live or recorded—were reminded of that last week, when Adrenaline Sports Bar and Grill in northwest Las Vegas got served with a lawsuit for allegedly failing to pay licensing fees to the American Society of Composers, Authors and Publishers (ASCAP).

"Whenever music is performed publicly, there's an obligation to make sure the songwriter is being compensated properly," says Jackson Wagener, vice president of business and legal affairs for the not-for-profit ASCAP. "When a bar is playing good music, it brings in more customers. It's only fair that they compensate the people writing the music."

Wagener says Adrenaline, which opened in 2014 and frequently hosts touring and local music acts, was contacted more than 40 times about licensing fees totaling $2,800 per year. "That's $8 per day, which we think is more than fair," he says. ASCAP's fee formula figures in three factors, according to Wagener: a venue's capacity, its use and frequency of music and whether it charges a cover. "There are more than 10 million copyrighted works in ASCAP," Wagener says. "Once a venue pays the fee, they can play as many of them as often as they want."

"Ten claims of willful copyright infringement were made by BMI… Penalties for not paying BMI can range from **$750 to $150,000 per song** if willful infringement is found, Thomas said."

"Adrenaline, which opened in 2014 and frequently hosts touring and local music acts, was contacted more than 40 times about licensing fees totaling **$2,800 per year**."

"The suit is asking for statutory damages, ranging from no less than $750 and **up to $30,000 for each of four listed causes of action**."

TouchTunes For Business

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